

## § 94.1

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#### APPENDIX I TO PART 94—EMISSION-RELATED ENGINE PARAMETERS AND SPECIFICATIONS.

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## 40 CFR Ch. I (7–1–15 Edition)

### Subpart A—General Provisions for Emission Regulations for Compression-Ignition Marine Engines

#### § 94.1 Applicability.

(a) Except as noted in paragraphs (b) and (c) of this section, the provisions of this part apply to manufacturers (including post-manufacture marinizers and dressers), rebuilders, owners and operators of:

(1) Marine engines that are compression-ignition engines manufactured (or that otherwise become new) on or after January 1, 2004;

(2) Marine vessels manufactured (or that otherwise become new) on or after January 1, 2004 and which include a compression-ignition marine engine.

(b) Notwithstanding the provisions of paragraph (c) of this section, the requirements and prohibitions of this part do not apply with respect to the engines identified in paragraphs (a)(1) and (2) of this section for any of the following engines:

(1) Marine engines with rated power below 37 kW.

(2) Marine engines on foreign vessels.

(3) Marine engines subject to the standards of 40 CFR part 1042, and marine engines that optionally certify (to the Tier 1 or Tier 2 standards) under the provisions of 40 CFR part 1042. Note that 40 CFR 1042.1 specifies that marine compression-ignition engines that are not certified under this part are subject to 40 CFR part 1042. Such engines may also be subject to the standards of this part 94.

(c) The provisions of Subpart L of this part apply to everyone with respect to the engines identified in paragraph (a) of this section.

(d) This part applies as specified in 40 CFR part 60, subpart IIII, to compression-ignition engines subject to the standards of 40 CFR part 60, subpart IIII.

[67 FR 68341, Nov. 8, 2002, as amended at 68 FR 9780, Feb. 28, 2003; 71 FR 39184, July 11, 2006; 73 FR 37196, June 30, 2008; 75 FR 22981, Apr. 30, 2010]

#### § 94.2 Definitions.

(a) The definitions of this section apply to this subpart. They also apply